



Agenda

Planning and Licensing Committee

Tuesday, 24 April 2018 at 7.00 pm

Brentwood County High School, Shenfield Common, Seven Arches Road,
Brentwood CM14 4JF

Membership (Quorum – 4)

Cllrs Ms Sanders (Chair), Faragher (Vice-Chair), Bridge, Chilvers, Mrs Middlehurst, Morrissey, Mrs Murphy, Mynott, Newberry, Reed, Mrs Slade and Wiles

Substitute Members

Cllrs Barrett, Mrs Coe, Mrs Davies, Mrs Fulcher, Mrs Pound, Russell and Trump

Agenda

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Chief Executive

Town Hall
Brentwood, Essex
16.04.2018

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

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A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

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Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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 **Evacuation Procedures**

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.



Minutes

Planning and Licensing Committee Monday, 26th March, 2018

Attendance

Cllr Ms Sanders (Chair)	Cllr Mynott
Cllr Faragher (Vice-Chair)	Cllr Newberry
Cllr Bridge	Cllr Reed
Cllr Mrs Middlehurst	Cllr Mrs Slade
Cllr Morrissey	Cllr Wiles
Cllr Mrs Murphy	

Apologies

Cllr Chilvers

Substitute Present

Cllr Mrs Davies

Also Present

Cllr Barrett	
Cllr Cloke	
Cllr Mrs Hones	
Cllr Hossack	
Cllr Foan	- West Horndon Parish Council
Cllr Lockhart	- Blackmore Parish Council
Andrew Martindale	- Historic England representative

Officers Present

Surinder Atkar	- Planning Solicitor
Philip Drane	- Planning Policy Team Leader
Stephen Hay	- Senior Policy Planner - Projects
Nick Howard	- Development Management Team Leader
Claire Mayhew	- Corporate and Democratic Services Manager
Paulette McAllister	- Design & Conservation Officer
Philip Ruck	- Chief Executive

338. Apologies for Absence

Apologies were received from Cllr Chilvers, Cllr Mrs Davies was present as a substitute.

339. Minutes of the Previous Meeting

The minutes of the meeting held on 21st February 2018 were approved as a true record, subject to an amendment to the recorded vote under Min 269 to state:

A motion was **MOVED** by Cllr Russell and **SECONDED** by Cllr Faragher to **APPROVE** the application subject to conditions within the report and in accordance with the approved plans. The applicant to re-submit new plans within one month to reflect what has been constructed on site. Delegation authority is given to the Planning Officer.

A vote was taken by a show of hands and the Members voted as follows:

FOR: Cllrs Wiles, Russell, Bridge, Ms Middlehurst, Ms Sanders and Faragher (6)

AGAINST: Cllrs Mynott, Newberry, Chilvers and Morrissey (4)

ABSTAIN: Cllrs Ms Slade and Reed (2)

The Chair informed members of the Committee that the planning application 17/01528/FUL - South Essex Golf Club has been deferred and will be brought to the committee at a later date.

340. Hutton Hall, Hutton Village, Hutton, Essex CM13 1RX Application Number: 17/01547/FUL

Due to Cllr Sanders interest, Cllr Faragher took on the role of Chair for the duration of this item and Cllr Wiles was appointed Vice Chair for the duration of this item only. Cllr Sanders left the room for this item.

Mrs Sanders, the Applicant was present and addressed the committee in support of the application.

Mr Martindale, Principal Inspector of Historic Buildings and Areas at Historic England, was present and addressed the committee with their serious concerns relating to the application.

The scale and footprint (26m x 9m) of the marquee results in an unsuitable further intensification of the overall site. Its siting being so close to the Grade II * listed building and immediately adjacent of the conservatory, cause severe

harm to the setting. Historic England did not support the original application finding the positioning of the Marquee to be harmful. Mr Martindale reiterated their Consultee advice, in that the permanent sitting would exasperate the situation to a level which was severely harmful.

The current application seeks removal of the condition 5. Historic England objects to removal of the condition and therefore the application should be refused.

The Framework requires Local Planning Authorities to take into account the desirability of sustaining and enhancing Heritage Assets and to find a viable use for their long term conservation which makes a positive contribution to the conservation area. Reference was made to NPPF 131, NPPF 132 and 134.

Mr Hay, drew attention to the applicant's viability statement. This was submitted as a non-independent statement and did not cover a detailed profile of costs, profit projection, break-even, or general issues affecting viability.

The statement referred to the commercial need for smaller weddings more likely to be held in Winter months (November-March), but with no commercial evidence for a marquee. A review of similar venues, indicates that winter weddings only account to a very small proportion of bookings.

Without a submission of a full business case plan, it would be difficult to conclude that a viability case can be made for the removal of the condition.

Cllr Hossack, Ward Member was present and addressed the committee in support of the application, agreeing that the main concern was the preservation of Hutton Hall and the grounds. The original application approved two years ago included a full business plan. If the current application is not approved the viability will demise, the income will demise and the building will not be sustainable. To remove the marquee twice a year, will increase damage to the Grade II* building.

Phil Ruck, Chief Executive informed members of the committee that enforcement officers have been notified of three conditions being breached:-

1. Wedding Ceremony & Funeral Wakes only. 50th Birthday and Wedding Fayre have also been held, which are not stated under condition 3.
2. Marquee only being erected between April-October.
3. Hutton Hall's website advertises the venue can hold 130 guests. The condition states 120.

After a full discussion, a motion was **MOVED** by Cllr Mynott and **SECONDED** by Cllr Newberry to **REFUSE** the application.

A vote was taken by a show of hands and the Members voted as follows:-

FOR: Cllrs Bridge, Mynott, Newberry, Mrs Davies, Morrissey and Faragher (6)

AGAINST: Cllr Wiles (1)

ABSTAIN: Cllrs Ms Middlehurst, Reed, Ms Slade and Mrs Murphy (4)

The motion was **CARRIED** to **REFUSE** the application for the following reasons:-

The proposal would result in a permanent structure abutting a nationally important Grade II* listed building; the harm to the setting of the building would result in material detrimental impact on the significance of the Grade II* Listed Building and the Grade II Listed Walled Garden. It would neither enhance or preserve the appearance of the Hutton Village Conservation Area. This harm would be material, but in the terms of Chapter 12 of the National Planning Policy Framework (NPPF), it would be less than substantial. The public benefits of the proposal do not clearly outweigh the harm identified including making optimum viable use of the heritage assets, contrary to Chapter 12 of the NPPF, the NPPG and Policies C14 and C16 of the Brentwood Replacement Local Plan 2005.

(Cllr Ms Sanders declared a non-pecuniary interest under the Council's Code of Conduct by virtue of being related to the applicants, she therefore left the room and didn't take part in the debate or vote).

(Cllrs Faragher, Bridge, Ms Middlehurst, Mrs Murphy, Reed, Ms Slade, Wiles and Mrs Davies declared a non-pecuniary interest under the Council's Code of Conduct by virtue of knowing the applicants).

341. 33-37 High Street, Brentwood, Essex, CM14 4RG Application Number: 17/01533/FUL

Cllr Mynott, Ward Member expressed his concerns over the impact on neighbours of Culyers Yard and the loss of car parking on the proposed site to the retailers in the High Street.

At present, the design of the Culyers Yard development against what is currently there is very satisfying.

The proposal for the High Street element of the development would be out of character in the High Street with regard to its size, massing and design.

The construction of a five-storey building on William Hunter Way is overbearing for such a small area, is higher than Sainsburys and Culyers Yard, and so will not enhance the area.

Cllr Slade, Ward Member could see no grounds to support this application. The proposed High Street development should be of Victorian Design like the eastern end of the High Street.

Ms McAllister, agreed with Members that the Victorian buildings towards the eastern end of the High Street, were buildings of merit. However, under Government Policy, the local planning authority cannot impose a design on applications.

Officers have looked at the grain, portion and rhythm of historic buildings in the High Street. The applicants supplied a 3D-model which was considered as part of the Councils 3D model of Brentwood Town Centre enabling officers to assess key views and urban context.

After a full discussion, a motion was **MOVED** by Cllr Mynott and **SECONDED** by Cllr Ms Slade to **REFUSE** the application under CP1 – character, scale and mass, impact on visual amenity and C14 – failure to enhance the character and appearance of the conservation area.

A vote was taken by a show of hands and the members voted as follows:

FOR: Cllrs Reed, Ms Slade, Wiles, Mynott, Newberry, Mrs Davies and Morrissey (7)

AGAINST: Cllrs Faragher and Ms Sanders (2)

ABSTAIN: Cllrs Bridge and Ms Middlehurst (2)

(Cllr Mrs Murphy was unwell and left the meeting before this item was debated and therefore didn't take part in the vote).

The motion was **CARRIED** and the application was **REFUSED** under CP1 and C14.

342. 130 Kings Road, Brentwood, Essex CM14 4EQ Application Number: 17/01971/FUL

Mr Gingel, was present and addressed the committee in objection to the application.

Ms McArthur, the Agent was present and addressed the committee in support of the application.

Ward Members, expressed their concerns about the overbearing nature of the proposed development and impact on local residents. Issues were also raised about lack of car parking provisions.

Mr Drane, asked Members to be mindful in their deliberation of national policy, the requirement for the Council to meet local housing needs, and the lack of five year housing supply. The Council should be ensuring delivery of development in sustainable locations and encouraging use of sustainable transport modes.

After a full discussion a motion was **MOVED** by Cllr Bridge and **SECONDED** by Cllr Ms Sanders to **APPROVE** the recommendation subject to the conditions in the report.

A vote was taken by a show of hands and the members voted as follows:

FOR: Cllrs Bridge and Ms Sanders (2)

AGAINST: Cllrs Ms Middlehurst, Ms Slade, Reed, Wiles, Mynott, Newberry, Mrs Davies, Faragher and Morrissey (9)

ABSTAIN: (0)

The motion was **LOST**.

A motion was **MOVED** by Cllr Faragher and **SECONDED** by Cllr Morrissey to **REFUSE** the application under Policy CP1 – overbearing nature of development on local residents, scale, size and mass of the development.

FOR: Cllrs Ms Middlehurst, Ms Slade, Reed, Wiles, Mynott, Newberry, Mrs Davies, Faragher and Morrissey (9)

AGAINST: Cllrs Bridge and Ms Sanders (2)

ABSTAIN: (0)

(Cllr Mrs Murphy was unwell and left the meeting before this item was debated and therefore didn't take part in the vote).

The motion was **CARRIED** to **REFUSE** the application under CP1.

343. Highpoint, Beggar Hill, Fryerning, Essex CM4 0PN Application Number: 18/00075/FUL

Mr Harrison, the Applicant's Representative was present and addressed the committee in support of the application.

Ward Members spoke in support of the application. The development of a house on this site would be more in keeping and enhance the area.

Cllr Bridge, read out a letter on behalf of Ingatestone and Fryerning Parish Council with their objection to the application.

After a full discussion, a motion was **MOVED** by Cllr Faragher and **SECONDED** by Cllr Slade to **APPROVE** the application subject to conditions as stated by the Officer relating to three years consent, no Permitted

Development for extension or outbuilding, development to be in accordance with drawings, demolition of existing building before occupation of new building and storage of materials whilst building work is being undertaken.

FOR: Cllrs Bridge, Ms Slade, Wiles, Newberry, Mrs Davies, Faragher and Ms Sanders (7)

AGAINST: Cllrs Ms Middlehurst and Reed (2)

ABSTAIN: Cllrs Mynott and Morrissey (2)

(Cllr Mrs Murphy was unwell and left the meeting before this item was debated and therefore didn't take part in the vote).

The motion was **CARRIED** to **APPROVE** the application subject to conditions.

(Cllrs Cloke and Mrs Hones declared a non-pecuniary interest under the Council's Code of Conduct by virtue of knowing the applicants).

344. Chelmsford City Council Local Plan Pre-Submission version (2018)

The report seeks approval on a formal response from Brentwood Borough Council to the Chelmsford Local Plan Pre-Submission Draft, January 2018 Document (Regulation 19).

The proposed response conveys broad support of Chelmsford City Council's aims in the preparation of their local plan. The Chelmsford Plan is at the late stages of the plan-making process with details provided on the strategic approach, specific policies and specific site allocations for the area.

A motion was **MOVED** by Cllr Wiles and **SECONDED** by Cllr Bridge to **APPROVE** the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**.

To approve the response to Chelmsford City Council's Local Plan Pre-Submission Draft document (January 2018), as set out in Appendix A.

Reasons for Recommendation

Chelmsford City Council are at the submission stage of the plan-making process. Policies and site allocations have been proposed as part of this consultation.

It is considered appropriate that Brentwood Borough Council express broad support for Chelmsford City Council's positive efforts to develop a local plan in

accordance with national policy and guidance, and the commitment to continued collaboration through the duty to cooperate on strategic planning matters that affect the two areas.

345. Urgent Business

Cllr Foan, West Horndon Parish Council raised concerns over the lack of documents being published online in time for consultation periods on planning applications, limiting respondent's ability to fully consider proposals.

Phil Ruck, Chief Executive to review the process and to be informed by the Parish Council of any further issues.

The meeting concluded at 9.36pm

SITE PLAN ATTACHED

**SOUTH ESSEX GOLF AND COUNTRY CLUB BRENTWOOD ROAD HERONGATE
ESSEX CM13 3LW**

**REDEVELOPMENT OF EXISTING COMMERCIAL BUILDING TO PROVIDE 30
DWELLINGS, REPLACEMENT D2 FACILITY (AS EXTENSION TO THE EXISTING
CLUBHOUSE); AND ASSOCIATED LANDSCAPING AND CAR PARKING.**

APPLICATION NO: 17/01528/FUL

WARD	Herongate, Ingrave & West Horndon	8/13 WEEK DATE	18.12.2017
PARISH	Herongate & Ingrave	POLICIES	
CASE OFFICER	Mr Nick Howard	01277 312500	

The application is presented to committee as it is a major application in the Green Belt.

1.0 DESCRIPTION OF PROPOSAL

The proposal seeks full planning permission for 30 dwellings and an extension to the golf clubhouse. The residential element of the scheme provides a mix of house types including four 5-bedroom houses, three 4-bedroom houses, nine 3-bedroom houses and 14 apartments, consisting of one and two bedrooms.

The proposal includes a parking provision of 62 car spaces and secure storage facilities for bicycles. Further to the proposed residential development the proposal includes an extension to the existing club house and provides space for a gym facility (Class D2).

2.0 SITE DESCRIPTION

The site comprises South Essex Golf Centre and is approximately one mile south east of Herongate. It is accessed from a long private drive off Brentwood Road 750 m north of the A127. This drive leads to the golf course site which is currently accommodated by a large (originally/former) agricultural building, the club house and driving range building.

The former agricultural building had until May 2017 been occupied as an indoor bowls club and green keeper store. To the north, north east and east of the site is the golf

course. To the south is a driving range and to the west of the site is Brentwood Road, adjacent to which is Cockriden Farm Industrial Estate.

The site is in the Green Belt as defined in the proposals map of the Brentwood Replacement Local Plan 2005. The site is situated in a 'bowl' with higher ground to the north and south of the site. A public footpath follows the line of the access drive before turning north before the site is reached. Part of the site is within Flood Zone 3 which is an area with a higher risk of flooding and the remainder of the site is located within Flood Zone 1 which is at a low risk of flooding.

3.0 RELEVANT HISTORY

- BRW 528/96- Erection of golf club house together with the continued use of a former agricultural building as an implement store. Approved 1997 (part) implemented.

4.0 SUMMARY OF CONSULTATION RESPONSES

Detailed below is a summary of the consultation responses, if any received. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

- **Schools, Children Families Directorate-**

Early Years and Childcare

The proposed development is located within the Herongate, Ingrave and West Horndon Ward. According to Essex County Council's childcare sufficiency data, published in summer 2017 there are 3 providers of early years and childcare in the area. Of these there are 2 Pre-schools and 1 Childminder. Overall a total of 6 unfilled places were recorded for 2-year olds and 11 unfilled places were recorded for 3 and 4-year olds. For Essex County Council to meet its statutory duties it must both facilitate sufficient places to meet free childcare entitlement demand and also ensure a diverse range of provision so that different needs can be met. As there are sufficient places available a developer's contribution towards new childcare places will not be required for this application at this point in time.

Primary Education

This development sits within the priority admissions area of Ingrave Johnstone CE Primary School, which has a planned admission number of 30 pupils each year. Due to pressure in the area the school has taken slightly higher numbers in some year group and, thereby, has a total of 216 on roll. To accommodate this number the School has to utilise temporary accommodation in addition to its permanent buildings. According to Essex County Council's document 'Commissioning School Places in Essex', the Brentwood area as a whole (group 1) will require 61 additional spaces to meet demand by the academic year commencing 2020.

It is clear from the above data that additional primary school places will be needed. This development would add to that need and, thereby, the scope of projects to provide additional school places are directly related to the proposal. The contribution sought is based on the formula outlined in the Essex County Council Developers' Guide to Infrastructure Contributions, which sets sums based on the number and type of homes built. The contribution will thus be fairly and reasonably related in scale and kind to the development and, thereby, Community Infrastructure Levy regulation 122 compliant.

Secondary Education

Demand for places at the priority admissions area secondary school, St Martin's, is also rising. Prior to the implementation of the revised Community Infrastructure Levy Regulations on the 6th April 2015 the County Council would have sought a developer contribution from this proposed development for additional secondary school places. However, the implementation of the revised Regulations now restricts the pooling of contributions for a specific item of infrastructure, such as the expansion of a school, to contributions from five separate planning obligations. Under these changed circumstances the County Council has decided not to request a contribution for the provision of additional secondary school places from this proposed development. This is because the scale of this development is relatively small. Seeking contributions from a number of small developments might, in the future, preclude the County Council from seeking a contribution from a larger development, should there already be 5 obligations pertaining to a project to add school places in the area.

Having reviewed the proximity of the site to the nearest primary and secondary schools, Essex County Council will be seeking a school transport contribution for school transport, only in the event that the developer has not included safe direct walking and cycling routes to local schools within their application.

In view of the above, I request on behalf of Essex County Council that if planning permission for this development is granted it should be subject to a section 106 agreement to mitigate its impact on childcare, education and school transport. Our standard formula s106 agreement clauses that ensure the contribution would be fairly and reasonably related in scale and kind to the development are available from Essex Legal Services.

For information only please see below calculations based on the below housing mix.

Based on the 30 dwellings with a unit mix of 16 x 2+bed houses, 9 x 2bed flats & 5 x 1bed flats (discounted) we would ask this development to contribute funding for 1.85 EY&C places and 6.15 Primary school places.

EY&C = 1.85 pupil places X 14,519 cost per pupil place = **£26,860.15**

Primary School = 6.15 pupil places x £12,734 cost per pupil place = **£82,771.00**

Primary School Transport = 6.15 pupil places x £9.50 cost per day x 190 days per year x 7 primary school years = **£77,705.25**

Please note that all the above amounts are not including indexation which will be added at the time of invoicing, this will be based from April 2017 BCIS PUBSEC.

- **Open Space**

Although the developer has confirmed the percentage of open space against the overall size of the site is at least 15%, the Council's policy does not preclude the applicant from a financial contribution even if some of the site is set aside as open space. The proposal does not include a central green or area that would be of sufficient size to be considered as usable public realm.

Overall the proposal may meet the Council's policy, however the reality is that taken as individual areas they do not really offer anywhere for social recreation and are merely landscape features to make the development more appealing to buyers.

As it stands I will still seek a contribution based on my previous emails but am still happy for this to be paid in a phased approach.

At this time the level of financial contribution being sought towards the improvement of existing open space will be £150,000, although this could be paid on a phased approach. On this basis there are no objections from an open spaces perspective

- **Anglian Water Services Ltd-**

No objections subject to a drainage condition

- **Highway Authority-**

Given that the proposals are not expected to increase the number of trips to / from the site in comparison to its existing lawful use, parking provision complies with Brentwood Borough Council's adopted parking standards and the existing site access conforms to current highway standards, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to conditions

- **Environment Agency-**

We have inspected the application as submitted and are raising a holding objection on flood risk grounds.

- **Design Officer-**

This application follows a protracted preapplication period, during which I advised the context and functionality of the existing site was fully considered, this included cross

sectional information and long views towards the site from various locations within the wider context being tested. The design intent itself, is for contemporary barn style buildings with seamless detail and high-quality materials. On this basis the detailing, landscaping and materiality is critical to deliver a cohesive scheme. There is little by way of technical design detail within the submission, should the application be recommended for approval I strongly advise conditions are applied on this respect.

In summary, from urban design perspective there are no adverse comments, conditions should be applied.

- **SUDS (Essex County Council as Local Lead Flood Authority – LLFA)**

Holding objection

- **Sport England-**

The site is not considered to form part of, or constitute a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No.595), therefore Sport England has considered this a non-statutory consultation.

The proposal involves the redevelopment of a building that was used until recently as an indoor bowls centre by the former Stonyhill Bowls Club. Following consultation with the indoor bowls governing body, the English Indoor Bowls Association (EIBA), it is understood that the bowls club has now disbanded and that the club operated without any security of tenure for a number of years. It is understood that former members of the club have now joined other indoor bowls facilities in the area. Based on this context, it is considered that the application proposal only relates to the loss of a sports facility of local benefit and does not relate to a sports facility of wider strategic importance. Sport England therefore does not wish to comment on the application, though the local authority should assess the proposal against guidance contained within Paragraphs 73 and 74 of the National Planning Policy Framework (NPPF).

- **Herongate Parish Council -**

I understand this is up for discussion at the forthcoming meeting. I have looked at the application - I am unable to read all of the documents as I cannot zoom in on them for some reason. I wouldn't have any objections initially as long as the infrastructure has been well looked into together with the need for better vehicular access to the properties from the A128. I must admit I am not keen on the design of the properties, I think they could have been better designed to align with those in the villages but I assume the design is to keep the properties in line with the design of the current club house. I don't think they will impact visually on the villages as the existing site cannot be seen from the road so therefore I cannot see how this will be. The properties will generate an increase of around 60 more vehicles assuming 2 per property which again I don't think is much of an impact considering the current amount of vehicles using the golf club.

- **West Horndon Parish Council-**

West Horndon Parish Council is providing comments on this planning application as it is understood that, despite having a Herongate postal address, part of the proposed development lies within West Horndon Parish.

While the building of new housing in Brentwood is desirable this proposed development sits on Green Belt land. It would be acceptable under present guidelines for Green Belt development to take place if the footprint of the new development matched that of the building to be demolished. However, that is not true in this case. The proposed development has a larger imprint. For this reason alone West Horndon Parish Council objects to the proposed development.

It is also noted that the access road to the proposed housing from the A128 would not appear to be of sufficient quality to endure the increase in road traffic that is likely to arise if the proposed development is approved. Therefore, consideration should be given to improving the access road and its junction with the A128 should this development proceed.

5.0 SUMMARY OF NEIGHBOUR COMMENTS

This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby.

Detailed below is a summary of the neighbour comments, if any received. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

- 17 objections
- Additional traffic on adjacent highways
- Pressure on local facilities
- Loss of sports facilities
- Development does not represent redevelopment of brownfield site.
- Development is larger than existing footprint
- Development within countryside, out of character

6.0 POLICY CONTEXT

The starting point for determining an application is the development plan, in this instance, the Brentwood Replacement Local Plan (RLP) 2005. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application are the following RLP policies, the National Planning Policy Framework (NPPF) 2012 and National Planning Policy Guidance (NPPG) 2014.

RLP Policy:GB1, GB2 Green Belt Development
Policy H6 – Housing Mix
Policy H9- Affordable housing
Policy T2 – Highway issues
Policy T5 Parking
NPPF Sections: Paragraph 89 & 90 Green Belt
Paragraph 73 & 74 Sports Provision

Local Development Plan:

The Local Development Plan is currently at the Draft Stage (Regulation 18) and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision making, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The next stage of the Local Plan is the Pre-Submission Draft (Regulation 19) which is currently anticipated to be published in early 2018. Following this, the Draft LDP will be submitted to the Secretary of State for an Examination in Public. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in early 2019.

7.0 ASSESSMENT

Green Belt

The site is located within the Green Belt. The Framework, paragraph 89 sets out exceptions to inappropriate development in the Green Belt. One such exception is the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Therefore, with regard to the openness of the Green Belt the applicant considers the overall footprint of the existing development on the site will be reduced by the proposal by approximately 165 cubic metres. The table below shows the applicant comparison between the existing building and the proposed development.

Table 4: Existing and Proposed Volume Comparisons

Component	Volume (cubic metres)	Total (cubic metres)
Bowls Club Building / Green Keepers Store	14,461	16,888
Remaining Extant Permission	2,427	
Proposed Residential Development	14,423	16,723
Proposed Clubhouse Extension	2,300	

The applicant has included a component which identifies an extant permission for an extension to the club house which has not been implemented. The applicant contends the volume of this extant permission should be included in the calculation when assessing the openness of the Green Belt. In support of this contention the applicant refers to an appeal decision at North Weald Golf Club which allowed a development of 20 dwellings and replacing the existing club house which had previous planning permission for an extension which had been partially implemented. However, the element to be completed was including within the assessment for the openness of the Green Belt, which is a similar scenario to this current application.

The second element in assessing the openness of the Green Belt is the extent of the development. At present the site comprises a large building with a car park to the south and east of the building. The development would spread to the east of the building and slightly to the south and although it would have a significantly increased extent of development it would be on a considerably lower scale and on hard surfaced areas associated with the golf club. Furthermore, the development would be positioned in the lower part of the site and the surrounding area. To the north there is a large embankment with rising ground and to the south there is rising ground and therefore the development would not be harmful to the openness of the Green Belt and would integrate into the rural landscape.

The proposal therefore complies with the Framework and Policies GB1 and GB2 of the Brentwood Replacement Local Plan.

Loss of existing indoor bowls building

The site is in the Green Belt as defined by the Brentwood Replacement Local Plan. The proposal would result in the loss of a former agricultural building which until May 2017 was used as an indoors bowls club. The building was used by Stonyhill Bowls Club from 1994 to 2017 and is currently vacant. It is understood that former members of the club

have now joined other indoor bowls facilities in the area. The Sports Council consider that the proposal only relates to the loss of a sports facility of local benefit and does not relate to a sports facility of wider strategic importance. Therefore, they do not wish to comment on the application, although they consider the local authority should assess the proposal against guidance contained within Paragraphs 73 and 74 of the National Planning Policy Framework (NPPF).

Paragraph 73 of the Framework states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Policies (and decisions) should be made on assessments of needs of sports and recreational facilities in the local area. Given the existing bowls club ceased operation and members found other clubs to join, it is considered there is little need for such a provision. The proposal therefore complies with Paragraph 73.

Paragraph 74 of the Framework states that existing buildings should not be built upon unless subject to three criteria. a) the applicant has demonstrated that the building is surplus to requirements, b) the loss of the building would be replaced by enhanced facilities relating to the golf course and c) the proposal includes a new gym facility which outweighs the loss of the existing building. The proposal therefore complies with Paragraph 74 and overall the loss of the existing indoor bowls building is considered acceptable.

Housing Need

The Council currently can only demonstrate a housing supply of 2.67 years which is well below the five year requirement as set out in the Framework. The proposed development will provide 30 dwellings which will make a significant contribution to the Council's housing need. This issue weighs in favour of the development.

Housing Mix

Policy H6 of the Local Plan requires that for developments of six or more dwellings, at least 50% of the units should be small i.e. comprise one or two-bedroom dwellings. Of the 30 dwellings the proposal includes 14 apartments which are either one or two-bedroom units. This represents 47% of the development which is just below the policy requirement. However, given the proposal is just below the policy requirement and from the larger dwellings a significant proportion are three bedroomed, the mix of units is considered acceptable and complies with Policy H6.

Affordable Housing

The proposal is for 30 dwellings and normally Council Policy H9 requires 35% of the total development to be affordable housing (10 dwellings) The applicant has submitted a viability scheme which has been assessed by consultants working for the Council. The viability scheme has now been agreed by the consultants and the applicant's and the

proposal includes the provision of three shared ownership properties, which is considered to be an acceptable provision. To require a greater level of provision would make the scheme unviable and it would not be built.

Design

The proposed development is centered around two courtyards. The north western courtyard comprises seven large detached dwellings and the south eastern courtyard consists of 23 units with a mixture of dwellings and apartments. The part of the site to be developed is set within a slight bowl with land rising in all directions around the site.

The design intent itself, is for contemporary barn style buildings with seamless detail and high-quality materials. The development is set around the principle of rural clusters and courtyards with varying heights. On this basis the detailing, landscaping and materiality is critical to deliver a cohesive scheme. There is little by way of technical design detail within the submission, therefore should the application be recommended for approval the design officer advises that conditions are applied in this respect.

Traffic Impact, Access and Car Parking

The Highway authority considers that given that the proposals are not expected to increase the number of trips to / from the site in comparison to its existing lawful use. Furthermore, the parking provision complies with Brentwood Borough Council's adopted parking standards and the existing site access conforms to current highway standards, from a highway and transportation perspective. The impact of the proposal is therefore acceptable to the Highway Authority subject to conditions. In addition, the proposal would require the diversion of a public right of way which would be dealt with under separate legislation.

Impact Upon Ecology and Biodiversity

The applicant has submitted an ecology report, it concludes that none of the habitats present are considered to be of any importance. The habitats on site comprise buildings, hardstandings, amenity grassland, small areas of shrubs and small trees. The report also states that badgers may venture in the area, therefore mitigation measures should be included which can be dealt with by condition. The proposal involves a significant landscaping scheme which again can be secured by condition.

Flood Risk and Site Drainage

Essex County Council as Local Lead Flood Authority (LLFA) and the Environment Agency have submitted holding objections.

8.0 CONCLUSION

The building was previously used as an internal bowls centre, which has now ceased. Members of the club have found other bowls clubs in the area to relocate. The loss of the bowls club has been mitigated by the provision of a new gym and improved golf facilities. The loss of the existing sports building is therefore considered acceptable.

The proposal is to redevelop a brownfield site in the Green Belt. The proposal would not harm the openness of the Green Belt by virtue of its comparative size compared to the existing buildings in addition to an extant permission on site.

The provision of 30 dwellings will make a significant contribution to the Council's housing requirements.

The proposal will result in a high-quality development which will complement its rural surrounds.

Overall the proposal is compliant with the Framework and the Council's Local Plan policies. The recommendation is therefore to approve subject to a S106 agreement requiring a financial contribution for education and sports provision and the provision of affordable housing.

9.0 RECOMMENDATION

The Application be APPROVED subject to a Section 106 agreement and the following conditions:-

The S106 should include reference to the financial contributions towards education and open space provision and the shared ownership properties.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

3. A schedule of all external surface materials including walls and roofs, and a schedule of all external joinery, indicating the proposed finish and decoration to

be used, shall be submitted to and approved by the local planning authority in writing prior to the commencement of any works. The development shall be constructed in full accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area.

4. Works shall not be commenced until sample panels of 1 square metre minimum shall be erected on site to show areas of new, exterior walling, have been approved in writing by the local planning authority. Where appropriate, these panels shall indicate: brick bond, copings, mortar mix, colour and pointing profile, render mix, finish and colour. The works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

Reason: In order to safeguard the character and appearance of the area.

5. Works shall not be commenced until additional drawings that show details of proposed new windows, doors, eaves, verges, cills and coping to be used by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

Reason: In order to safeguard the character and appearance of the area.

6. No electricity, gas or water meter boxes shall be fixed to the external fabric of the building. All electrical and telephone services to the development shall be run underground.

Reason: In order to safeguard the character and appearance of the area

7. All soil and waste plumbing shall be run internally and shall not be visible on the exterior.

Reason: In order to safeguard the character and appearance of the area

8. The development shall not be occupied until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In the interests of safeguarding the character and appearance of the area and living conditions of adjacent occupiers.

9. All trees and hedges to be retained, including trees outside the site whose canopies overhang the site, shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

Reason: In order to protect trees and hedges of importance to safeguard the character and appearance of the area.

10. Prior to the commencement of the development hereby permitted a scheme of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall indicate the existing trees shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme to be agreed in writing by the local planning authority. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased, within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

Reason: In order to protect trees and hedges of importance to safeguard the character and appearance of the area.

11. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction

- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of working and hours during which deliveries may be taken at the site

Reason: In the interests of highway safety, visual and neighbour amenity.

12. The proposed development shall not be occupied until such time as the vehicle parking area including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at times. The vehicle parking area shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy T2 of the Brentwood Replacement Local Plan.

13. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity

To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy T2 of the Brentwood Replacement Local Plan.

14. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling, as approved by Essex County Council.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport

15. Prior to first occupation, the existing bus stops on both sides of the A128 Brentwood Road south of the site access shall be improved. This shall include raised and dropped kerbs to facilitate pedestrian and wheelchair access, two new bus shelters, new flags and timetable displays.

Reason: To encourage trips by public transport in the interest of accessibility

16. Prior to first occupation, the proposed new pedestrian footway alongside the site access road and connecting to the bus stops (referred to in section 2 above) shall be hard-surfaced, provided with a minimum 2 metre width for its entire length and include tactile paving at the proposed crossing point as shown in principle in drawing Figure 2.3 (Proposed Footway Connection – Site/A128) in Appendix C of the Transport Assessment.

Reason: To provide a safe link for pedestrians in the interest of accessibility

17. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved foul water strategy.

Reason: To prevent environmental and amenity problems arising from flooding.

18. No drainage works shall commence until a surface management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works have been carried out in accordance with the approved surface water strategy.

Reason: To prevent environmental and amenity problems arising from flooding.

19. No more than 14 dwellings of the proposed development shall be occupied until the proposed 'D1 use' is first brought into use.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

RESL01 No PD for extensions (new dwellings)

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), the dwelling hereby permitted shall not be extended or enlarged in any way without the prior grant of specific planning permission by the local planning authority.

Reason: To prevent the creation of a dwelling of disproportionate size that would conflict with the policies of restraint within the Green Belt

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) no development falling within Schedule 2, Part 1, Class E of that Order ('buildings etc incidental to the enjoyment of a dwellinghouse') shall be carried out without the prior grant of specific planning permission by the local planning authority.

Reason: To prevent the construction of buildings which would be harmful to the openness of the Green Belt and that would conflict with the policies of restraint within the Green Belt

Informative(s)

- 1 INF01 Reason for approval (no objections)
Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below.

- 2 INF04 Amendments to approved scheme
The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

- 3 INF05 Policies
The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, GB1, GB2, T2, T5, the National Planning Policy Framework 2012 and National Planning Policy Guidance 2014.

- 4 INF16 Section 106
This planning permission is the subject of a planning obligation made under Section 106 of the Town and Country Planning Act and the developer must ensure that the provisions of that obligation are fully implemented.

- 5 INF22 Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 6 Anglian Water recommends that petrol/oil interceptor to be fitted in all car parking areas. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

- 7 Anglia Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewerage flooding and consequential environmental and amenity impact and may constitute an offence.

8. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no 59 (Herongate and Ingrave parish) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
9. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.
10. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
11. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood, Essex CM13 3HD.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.brentwood.gov.uk/planning

Appendix A – Site Map

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Appendix A

Stonyhill Wood

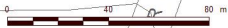
Cockridden Farm
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Cockridden Farm
Industrial Estate

A128

A128

BRENTWOOD ROAD



Title : South Essex Golf & Country Club, Brentwood Road, Herongate

17/01528/FUL

Scale at A4 : 1:3000

Date : 24th April 2018

Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500



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SITE PLAN ATTACHED

LABURNHAM COTTAGE ONGAR ROAD PILGRIMS HATCH ESSEX CM15 9SA

DEMOLITION OF EXISTING GUEST HOUSE/SWIMMING POOL AND CONSTRUCT 3 BEDROOM BUNGALOW

APPLICATION NO: 17/01121/FUL

WARD	Pilgrims Hatch	8/13 WEEK DATE	16.03.2018
PARISH		Extention of time:	
CASE OFFICER	Mr Mike Ovenden	01277 312500	

**Drawing no(s)
relevant to this
decision:**

This application is referred to committee at the request of Councillor Aspinell

- *Existing sewerage and drainage connections are insufficient for a modern new build house*
- *Potential compromise of water course on neighbouring land, contamination of private lake and ditches and danger to wildlife*
- *Currently the building on site is a guest house, therefore infrequently used by its very nature and uses the existing septic tank that discharges its overspill into local water course. This is unacceptable in a modern age but furthermore the application is for a permanent three bed dwelling, which will have constant sewerage and water drainage, using an antiquated, outdated overused system.*
- *The applicant is planning to access the new build from a private lane to the side of the property. Ownership of the lane is not in the ownership of the applicant and is subject to dispute with a current planning development.*

1. Proposals

This application relates to the demolition of an existing part single storey, part two storey building which accommodates what is described as a 'guest house' – one bedroom on first floor with the lounge, kitchen, bathroom - double garage and covered swimming pool on the ground floor. It would be replaced with a single storey U-shaped bungalow containing 3 bedrooms, lounge/diner, sitting room, bathroom and three en-suites. The proposed position of the dwelling overlaps that of the existing building and it

would be used as an independent dwelling. Access to the site is shown from Ongar Road, though this could be direct through the main site or indirect from the side road. It is understood that the intention is to access the site through an existing access via the side road.

The design of the dwelling is simple and lower than the existing building, utilises much larger windows, would have a hipped main roof, gable ends to the side elements and be constructed around an open central space.

2. Policy Context

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Brentwood Replacement Local Plan 2005

- Policy CP1 General Development Criteria
- Policy GB1 New Development
- Policy GB2 Development Criteria

The successor document for the Brentwood Replacement Local Plan 2005, the new Local Development Plan (LDP), underwent draft stage consultation (Regulation 18) in 2016 and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision-taking, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The emerging LDP was the subject of site-focused consultation (Regulation 18) between 29 January and 12 March 2018, identifying proposed development allocations. This will be followed by the Pre-Submission Draft (Regulation 19), currently anticipated to be published in Q3 of 2018. Following this, the LDP will be submitted to the Secretary of State for an Examination in Public in Q4 of 2018. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in early/mid 2019.

3. Relevant History

- 16/01023/FUL: Demolition of existing guest house/swimming pool and construction of a three bedroom bungalow -Application Withdrawn

4. Neighbour Responses

The application has been publicised by neighbour letters and a site notice. One representation has been received.

- Not notified of application

- Historic and legal issues relating to Love Lane (side road)
- No mains sewerage, existing system discharges into local water course and smells during summer months
- A different method will be required for new property
- What would stop further development
- Reference to other developments locally
- Request no decision until matters associated Oakwood Nursery have been resolved
- Why has Environment Agency and Anglian water not been consulted

5. Consultation Responses

- **Environmental Health & Enforcement Manager:**

Acceptable subject to a condition relating to management of construction.

6. Summary of Issues

The starting point for determining a planning application is the development plan, in this case the Brentwood Replacement Local Plan 2005. Planning legislation states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application are the National Planning Policy Framework 2012 (NPPF) and National Planning Practice Guidance 2014 (NPPG). Although individual policies in the Local Plan should not be read in isolation, the plan contains policies of particular relevance to this proposal which are listed in section 2 above.

Green Belt

Policies GB1 and GB2 aim to control development but support a limited range of development, subject to being appropriate to the greenbelt and protecting its openness. These policies are broadly consistent with the NPPF, which is a significant material consideration. Where there is a difference between it and the development plan, the NPPF, which is newer than the development plan, takes preference although in this case there is no significant inconsistency between the two documents. The NPPF specifies types of development that are identified as 'not inappropriate'. One such type of development is the redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. This is the basis on which this application is made.

Openness is a visual quality related to lack of buildings and in the case of a redevelopment it often involves a comparison between existing and proposed

developments. One approach used to assess development is comparing dimensions and those relating to this proposal are given below:

	Existing	Proposed
Length	22.2/ 18.9m	20.3m
Width	18.2 / 7.9m	13.3m
Height	5.77/ 3.8m	4.0m
Floorspace (Gross internal)	216 sqm	191
Footprint (External)	225sqm	217

The above table indicates that across a range of measures the proposed building is of similar size to the existing building, or smaller. Another way to assess the development is a comparison between the elevations/massing of the existing and proposed. These show the proposed building to be marginally higher than the main body of the existing building and significantly lower than its tallest element, as indicated above. The position of the building is similar so this factor by itself would have no effect on openness. In summary, the replacement of the existing building with the proposal would have no material impact on openness. On that basis it is an acceptable form of development in the greenbelt.

Character, appearance and residential amenity

Policy CP1 is supportive of development proposals provided they protect the character and appearance of the surrounding area, protect the amenities of neighbours, are of a high standard of design and have satisfactory access and parking and can be accommodated by local highway infrastructure.

The character of the local area is derived from individual or small groups of buildings in a countryside setting and this proposal would have minimal effect on the local area when compared to the existing building. The design is acceptable, and the building does not raise concerns about residential amenity. Adequate parking to the property would be retained by the proposal and it would not have a measurable effect on the use of the local traffic network. To that extent the proposal complies with Policy CP1.

Other matters

The Ward Councillor has expressed concerns about the proposal on two main grounds – sewerage and access to the highway.

Sewerage

The site does not have access to mains drainage. Following discussions with the applicant it is understood that it is proposed to replace the existing septic tank system with new Klargesters (treatment plants) for the existing and new dwelling. These are acceptable where mains drainage is not available and commonly used in

rural areas. Their ability to operate effectively is influenced by the quality of the system, its installation and maintenance. The Environment Agency and Water Authority have not been consulted on this proposal for a single dwelling as it falls below the threshold of developments they wish to be consulted about. Concerns have been expressed in a representation about the operation of the existing system at the premises and the case officer has discussed this with officers from Environmental Health and Building Control. No formal complaint about the functioning of the existing system has been received by Environmental Health. The use of the new proposed treatment plants is acceptable in principle on this site and likely to result in an improvement to the current situation. It is recommended that a planning condition is applied requiring the developer to provide details of the system proposed.

Access

The application form states that no new access or altered access is proposed. The application drawings indicate that the applicant has control of the site up to the public highway (Ongar Road) and this is sufficient for the application to be considered. The application drawings suggest that the side access is to be used to reach the Ongar Road. The representation refers to historic use and legal issues associated with use of the side road. The applicant claims to have used the access for 20 years. Whether this is the case is not a planning matter. The application has access to the highway over land controlled by the applicant and this is sufficient for the application. The applicant has been asked to confirm whether it is the intention to provide access via the side road rather than direct to Ongar Road. At the time of writing this report this information has not been received.

Access rights aside, the lane to the immediate north of the site is the access to Straight Mile Nursery, an established access with adequate visibility and width to be used to access the site without creating highway dangers.

Other matters raised in the representation

With regard to publicity given to the application, national requirements are that either owners/occupiers of adjoining land are notified or a site notice is put on/near the application site. It is understood that the author of the representation lives locally but does not occupy adjoining land, though others that do were notified, and so was not notified by letter but that a yellow site notice was put on site. By using a combination of means to publicise the application statutory requirements were exceeded.

The comment about future development proposals is noted but future applications would be considered on their merits. This proposal is a distinct entity and not part of the separate development at Oakwood Nursery and it would not be reasonable to delay determination of this application until resolution of alleged issues with that development.

In conclusion this proposal is acceptable development in the greenbelt, protecting its openness and subject to conditions is acceptable in planning terms. The Council cannot demonstrate a five year supply of building land and the dwelling subject to this application would make a small contribution towards meeting this aim and therefore weighs in its favour. However given the other issues referred to above its contribution to housing land supply is not a determining issue.

With regard to planning conditions these are listed below. Some of the suggested conditions from Environmental Health are more appropriate to be added as informatives than conditions.

7. Recommendation

The Application be APPROVED subject to the following conditions:

1 TIM01 Standard Time - Full

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 DRA01A Development in accordance with drawings

The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

3 DEM01 Demolition of Buildings on site green belt

The existing building(s) or parts of buildings on the site indicated on the approved drawings and/or specifications for demolition shall be demolished and all materials arising shall permanently be removed from the site prior to the first occupation of any part of the development hereby permitted.

Reason: In the interests of maintaining the openness of the Green Belt.

4 The construction of the dwelling hereby permitted shall not proceed above slab level until full details of the proposed method of treating foul sewage from the proposed dwelling have been submitted to and approved in writing by the local planning authority. The system shall be fully installed as approved prior to the first occupation of the approved dwelling.

Reason: To avoid pollution of the local environment.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), the dwelling hereby permitted shall not be extended or enlarged in any way without the prior grant of specific planning permission by the local planning authority.

Reason: To protect the openness of the greenbelt

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) no development falling within Schedule 2, Part 1, Class E of that Order ('buildings etc incidental to the enjoyment of a dwellinghouse') shall be carried out without the prior grant of specific planning permission by the local planning authority.

Reason: To protect the openness of the greenbelt

7 Construction and/or deliveries shall not take place outside the hours of;
Monday - Friday.....8.00 - 18.00
Saturday.....8.00 - 13.00.
Construction and/or deliveries on Sundays or Bank Holidays.

Reason: To protect the amenity of residential properties in the locality.

Informative(s)

1 INF02 Reason for approval (objections)

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below. The Council has had regard to the concerns expressed by residents but the matters raised are not sufficient to justify the refusal of permission.

2 INF04 Amendments to approved scheme

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

3 INF05 Policies

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, GB1, GB2, the National Planning Policy Framework 2012 and NPPG 2014.

4 INF22 Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to

grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

5 U05397

- o Any existing buildings on site should be assessed for asbestos containing materials prior to demolition. Any asbestos containing materials must be removed in full consultation with the Health & Safety Executive.

- o All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

- o In periods of dry weather, dust control measures should be employed including wheel washing and damping down. Any stockpiles of materials which are likely to give rise to windblown dust, shall be sheeted, wetted or so located as to minimise any potential nuisance.

- o Where the site is adjacent to residential or business premises, bonfires should be avoided, and all waste materials should be removed from site and suitably disposed of. At no time should any material that is likely to produce dark/black smoke be burnt (e.g. Plastics, rubber, treated wood, bitumen etc.)

- o Radio noise should not be audible at the boundary of the nearest neighbouring property.

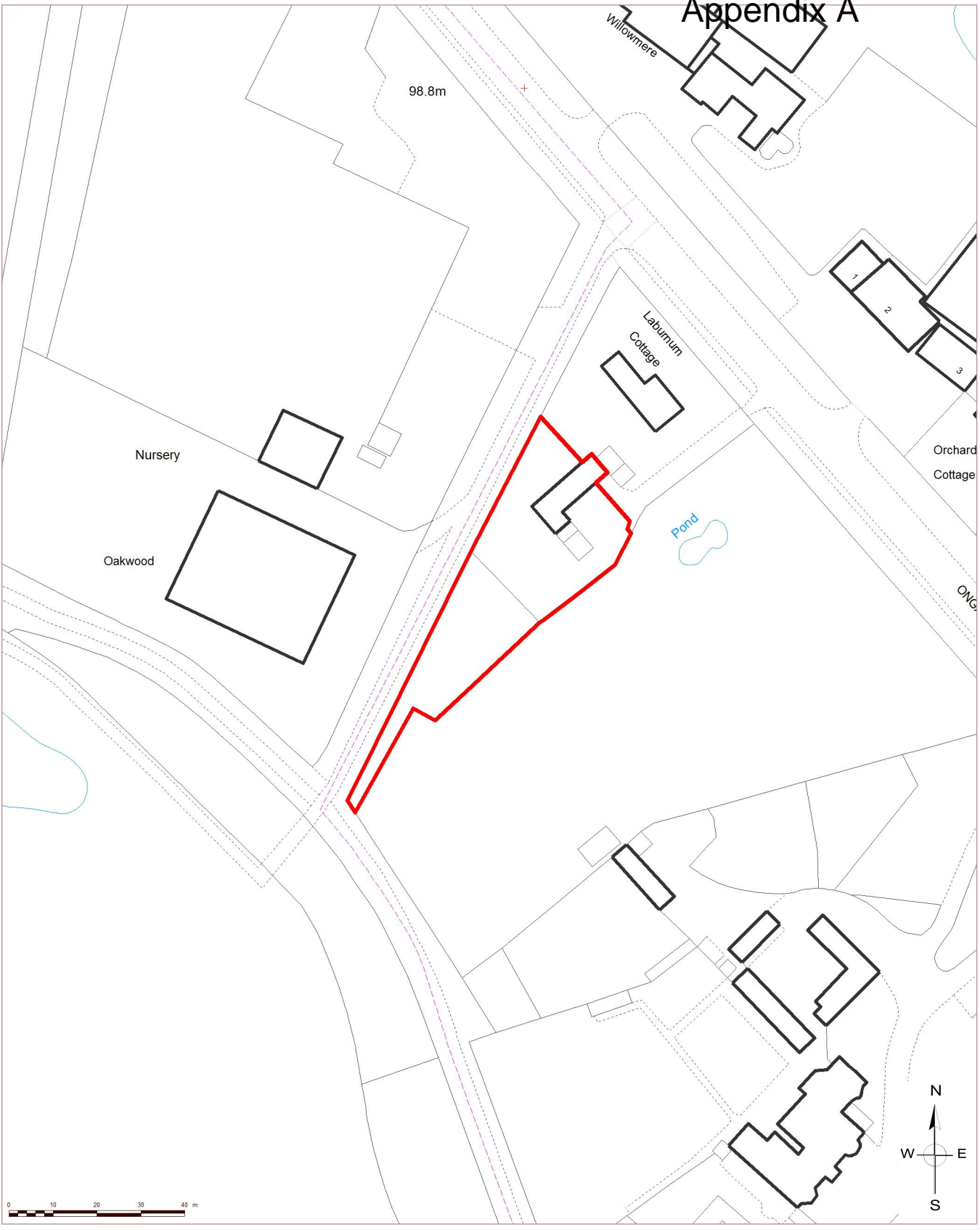
- o Neighbouring residential premises should be advised of any unavoidable late night or early morning working which may cause disturbance. Any such works should be notified to the Environmental Pollution Department on (01277) 312500 prior to commencement.

BACKGROUND DOCUMENTS

DECIDED:

Appendix A – Site Plan

Appendix A



Title : Laburnham Cottage, Ongar Road, Pilgrims Hatch

17/01121/FUL

Scale at A4 : 1:1250

Date : 24th April 2018

Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500



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SITE PLAN ATTACHED

**TOWN HALL INGRAVE ROAD BRENTWOOD ESSEX CM15 8AY
INSTALLATION OF 2.4 X 3.0 X 2.9(H)M STEEL STORAGE CONTAINER FOR A
TEMPORARY PERIOD OF 18 MONTHS**

APPLICATION NO: 17/01838/FUL

WARD	Brentwood South	8/13 WEEK DATE	14.03.2018
PARISH		POLICIES	
CASE OFFICER	Ms Tessa Outram	01277 312500	
Drawing no(s) relevant to this decision:	594A 100 AR 001 ; 594A 100 AR 002 ; 594A 100 AR 003 ; 594A 100 AR 004 ;		

The development is within council owned land and therefore must be presented before committee.

1. Proposals

The proposal is to locate a steel storage container on part of the South Car Park at Brentwood Town Hall. The container has a length of 3.05 metres, a width of 2.4 metres and a height and eaves height of 2.9 metres.

The proposal is to erect a storage container on the car park for 18 months whilst the Town Hall is being redeveloped (17/00643/FUL).

One car parking space in the South Car Park would be displaced by the proposal.

The application is presented to committee as the site is a Council owned asset.

2. Policy Context

RLP Policy: Policy CP1 General Development Criteria
Policy E2 Areas Allocated for Office Purposes
Policy E8 Employment Development Criteria
Policy C14 Development affecting Conservation Areas
Policy C16 Development within the Vicinity of a LB

NPPF Sections: Core Planning Principles

Chapter 12 (Conserving and Enhancing the Historic Environment)

Local Development Plan:

The successor document for the Brentwood Replacement Local Plan 2005, the new Local Development Plan (LDP), underwent draft stage consultation (Regulation 18) in 2016 and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision-taking, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The emerging LDP was the subject of site-focused consultation (Regulation 18) between 29 January and 12 March 2018, identifying proposed development allocations. This will be followed by the Pre-Submission Draft (Regulation 19), currently anticipated to be published in Q3 of 2018. Following this, the LDP will be submitted to the Secretary of State for an Examination in Public in Q4 of 2018. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in early/mid 2019.

3. Relevant History

- 17/00427/FUL: Construction of temporary portacabins for two years -Application Permitted
- 17/00643/FUL: Redevelopment of site to provide a community hub (sui generis use) at ground floor, offices (Use Class B1) within part of the basement and ground floor and the entirety of the first floor and 19 flats (4 x 1 bed and 15 x 2 bed) at second and third floor level, incorporating elevational alterations, roof extensions, a single storey colonnade extension to east facing elevation and associated improvements to curtilage including new vehicular and cycle parking and landscaping -Application Permitted

4. Neighbour Responses

This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby.

Detailed below is a summary of the neighbour comments, if any received. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

No neighbour representation letters were received at the time of writing this report.

5. Consultation Responses

- **Assets Manager:** The Police are only occupying part of their demised area in the Town Hall due to the re-development works that are being carried out. When the Town Hall re-development is completed they will have their locker room and storage room in the Town Hall. This is to store their traffic cones and door battering rams etc that cannot currently be stored in their office. When the Town Hall refurbishment is completed they will be able to store these in their accommodation. They do need the Container to store equipment. The idea is that it is a temporary feature and I am surprised they want it for 4 years.
- **Historic Buildings and Conservation Officer:** Thank you for consulting Conservation in respect of this application, I offer no adverse comments given the proximity of the proposed location of the steel containers from the GV II listed building within the site context.

6. Summary of Issues

Background

The proposal is to accommodate a steel storage container to be used for storing police equipment such as traffic cones and battering rams etc that cannot currently be stored in their office.

The Police are currently only occupying part of their demised area in the Town Hall due to the re-development works that are being carried out. When the Town Hall refurbishment is completed they will be able to store the equipment in their accommodation and the container will be removed.

Principle

The site is situated within the settlement boundary of Brentwood as defined by the Brentwood Replacement Local Plan. The proposals map which forms part of the Local Plan identifies the Town Hall site as part of an 'allocation' comprising office use (Policy E2), car park itself however is not allocated for any specific purpose. The storage container is an ancillary use for the principal use, which is an office provision for Brentwood Police. The scale and nature of the development is considered to be appropriate to the location given its temporary use and is therefore considered to accord with policy E2 and E8 and with the 'allocation' identified in the proposals map of the Local Plan.

Design, Character and Appearance

The northern edge of the site is adjacent to the Town Centre Conservation Area boundary and Grade II Listed Building 38 Ingrave Rd. However, the proposed container is 140 metres from the Conservation Area and Grade II Listed Building and therefore it is considered that it would not detract from the historic setting or character or appearance of the area. This view is supported by the Conservation Officer.

The size of the container is modest and whilst its appearance does little to enhance the area, it would not be immediately visible from public vantage points. Furthermore, it would be accepted that temporary structures for a limited period of time will be required in connection with the redevelopment of the Town Hall. As such, the proposal is compliant with policy CP1 (i), (iii) and (viii) of the local plan and chapters 7 and 12 of the NPPF.

Impact on Neighbour Amenity

The car park is well enclosed by mature vegetation and therefore the proposed container would be largely screened from neighbouring properties and is a sufficient distance as to not result in an adverse impact on the living conditions of adjoining neighbouring occupiers.

Parking Considerations

The proposal will result in the loss of one parking space which is allocated for the use of the police and council staff. Given the Town Hall is not currently in use and the use of the car park in conjunction with the temporary offices at Seven Arches Road is only used by a small number of staff it is not considered the loss of one parking space for a temporary period would be unacceptable in this instance.

Conclusion

The proposal, which seeks consent for 18 months, complies with the provisions of the Local Plan, it will not be harmful to the living conditions of neighbouring residents and would not be detrimental to the character of the area. The proposal is therefore considered acceptable subject to a temporary consent with the site restored to its former condition once the permission has ceased.

7. **Recommendation**

The Application be APPROVED subject to the following conditions:-

1 TIM08 Temporary Permission - Use (Building)

The building hereby permitted shall be removed and the land restored to its former condition on or before 1st November 2019 in accordance with a scheme of work to be first agreed in writing by the local planning authority.

Reason: In the interest of amenity and to safeguard the character and appearance of the area.

2 DRA01A Development in accordance with drawings

The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

Informative(s)

1 INF01

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below.

2 INF04

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

3 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, E2, E8, C14, C16, the National Planning Policy Framework 2012 and NPPG 2014.

4 INF22

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

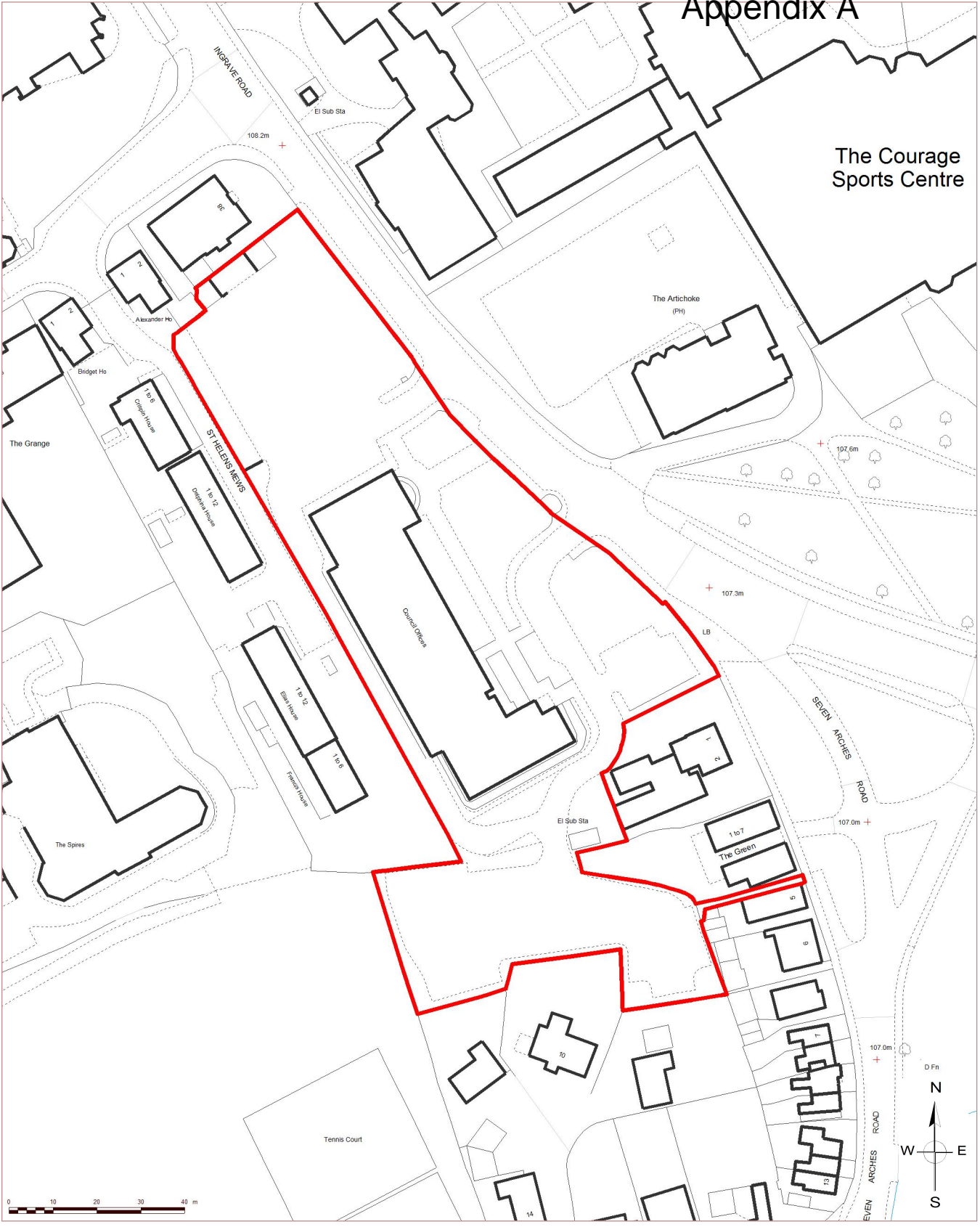
BACKGROUND DOCUMENTS

Appendix A – Site Plan

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Appendix A

The Courage Sports Centre



Title : Town Hall, Ingrave Road, Brentwood

17/01838/FUL

Scale at A4 : 1:1250

Date : 24th April 2018

Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500



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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Planning and Licensing Committee

Planning

(a) Town and Country Planning Act 1990 and any related legislation including:-

- (i) determination of planning applications;
- (ii) enforcement of planning control;
- (iii) waste land notices, purchase notices, etc.

(b) Listed Buildings and Conservation Areas Act 1990

- (i) determination of applications for Listed Buildings and Conservation Area consent;
- (ii) enforcement of Listed Building and Conservation Area legislation.
- (c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.

(a) To guide the Council in setting its policy objectives and priorities.

- (b) To carry out the duties and powers of the Council under current legislation;
- (c) To develop, implement and monitor the relevant strategies and policies relating to the Terms of Reference of the committee.
- (d) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
- (e) To consider and approve relevant service plans;
- (f) To comply with the standing orders and financial regulations of the Council;
- (g) To operate within the budget allocated to the committee by the Council.
- (h) To determine fees and charges relevant to the committee;

To review and monitor the operational impact of policies and to recommend proposals for new initiatives and policy developments including new legislation or central government guidance

(d) Powers and duties of the local planning authority in relation to the planning of sustainable development; local development schemes; local development plan and monitoring reports and neighbourhood planning.

Licensing

(a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.

(b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.

(c) To determine all fees and charges relevant to matters disposed by the Planning and Licensing Committee.

(d) To exercise all other functions relating to licensing and registration including

- i. Trading Requirements.
- ii. All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators.

- iii. Animal Welfare and Security.
 - iv. Skin Piercing, Acupuncture, Electrolysis and Tattooing.
 - v. Sex establishments (including Sex Entertainment Venues (SEV)).
 - vi. Pavement Permits.
 - vii. Charitable Collections.
 - viii. Camping, Caravan Sites and Mobile Homes.
 - ix. Scrap Metal.
 - x. Game Dealers.
- (e) Any other matters relating to licensing as may be referred to the committee for consideration.
 - (f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.
 - (g) To manage and monitor the budgets in respect of licensing and vehicle licensing.